## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI NORTHERN DIVISION

STANLEY C. MAJEWSKI,	)	
Plaintiff,	)	
v.	)	No. 2:13CV007 RWS
CAROLYN W. COLVIN,¹ COMMISSIONER OF SOCIAL SECURITY,	) ) )	(TIA)
Defendant.	)	

## REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

This cause is on appeal from an adverse ruling of the Social Security Administration. The case was referred to the undersigned for a report and recommendation pursuant to 28 U.S.C. § 636(b). The suit involves applications for Disability Insurance Benefits under Title II of the Social Security Act and Supplemental Security Income under Title XVI of the Act.

After reviewing the administrative record, Claimant determined that it would not be in his best interest to pursue the review of the decision of the Administrate Law Judge denying his applications for disability insurance benefits and supplemental security income benefits.

Accordingly, Claimant filed the instant Motion for Leave to Voluntarily Dismiss Complaint Without Prejudice.

<sup>&</sup>lt;sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is therefore substituted for Michael J. Astrue as the Defendant in this action.

Therefore, for all the foregoing reasons,

IT IS HEREBY RECOMMENDED that Claimant's Motion for Leave to Voluntarily

Dismiss Complaint Without Prejudice be granted, and the Complaint be dismissed without

prejudice.

The parties are advised that they have fourteen (14) days in which to file written objections to this Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1), unless an extension of time for good cause is obtained, and that failure to file timely objections may result in a waiver of the right to appeal questions of fact. See Thompson v. Nix, 897 F.2d 356 (8th Cir. 1990).

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 18th day of September, 2013.